



General Assembly

Substitute Bill No. 68

February Session, 2002

**AN ACT CONCERNING ZONING AND THE MUNICIPAL PLAN OF
CONSERVATION AND DEVELOPMENT.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (b) of section 8-3 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2002*):

4 (b) Such regulations and boundaries shall be established, changed
5 or repealed only by a majority vote of all the members of the zoning
6 commission, except as otherwise provided in this chapter. In making
7 its decision the commission shall take into consideration the plan of
8 conservation and development, prepared pursuant to section 8-23, as
9 amended, and shall state on the record its findings on consistency of
10 the proposed establishment, change or repeal of such regulations and
11 boundaries with such plan. If a protest against a proposed change is
12 filed at or before a hearing with the zoning commission, signed by the
13 owners of twenty per cent or more of the area of the lots included in
14 such proposed change or of the lots within five hundred feet in all
15 directions of the property included in the proposed change, such
16 change shall not be adopted except by a vote of two-thirds of all the
17 members of the commission.

18 Sec. 2. Subsection (g) of section 8-3 of the general statutes is repealed
19 and the following is substituted in lieu thereof (*Effective October 1,*

20 2002):

21 (g) The zoning regulations may require that a site plan be filed with
22 the commission or other municipal agency or official to aid in
23 determining the conformity of a proposed building, use or structure
24 with specific provisions of such regulations. If a site plan application
25 involves an activity regulated pursuant to sections 22a-36 to 22a-45,
26 inclusive, the applicant shall submit an application for a permit to the
27 agency responsible for administration of the inland wetlands
28 regulations not later than the day such application is filed with the
29 zoning commission. The decision of the zoning commission shall not
30 be rendered on the site plan application until the inland wetlands
31 agency has submitted a report with its final decision. In making its
32 decision the zoning commission shall give due consideration to the
33 report of the inland wetlands agency. In making its decision the
34 commission shall take into consideration the plan of conservation and
35 development, prepared pursuant to section 8-23, as amended, and
36 shall state on the record its findings on consistency of the proposed site
37 plan with such plan. A site plan may be modified or denied only if it
38 fails to comply with requirements already set forth in the zoning or
39 inland wetlands regulations. Approval of a site plan shall be presumed
40 unless a decision to deny or modify it is rendered within the period
41 specified in section 8-7d. A certificate of approval of any plan for
42 which the period for approval has expired and on which no action has
43 been taken shall be sent to the applicant within fifteen days of the date
44 on which the period for approval has expired. A decision to deny or
45 modify a site plan shall set forth the reasons for such denial or
46 modification. A copy of any decision shall be sent by certified mail to
47 the person who submitted such plan within fifteen days after such
48 decision is rendered. The zoning commission may, as a condition of
49 approval of any modified site plan, require a bond in an amount and
50 with surety and conditions satisfactory to it, securing that any
51 modifications of such site plan are made or may grant an extension of
52 the time to complete work in connection with such modified site plan.
53 The commission may condition the approval of such extension on a

54 determination of the adequacy of the amount of the bond or other
55 surety furnished under this section. The commission shall publish
56 notice of the approval or denial of site plans in a newspaper having a
57 general circulation in the municipality. In any case in which such
58 notice is not published within the fifteen-day period after a decision
59 has been rendered, the person who submitted such plan may provide
60 for the publication of such notice within ten days thereafter.

This act shall take effect as follows:	
Section 1	October 1, 2002
Sec. 2	October 1, 2002

Statement of Legislative Commissioners:

In section 1, after "repeal" the phrase "of such regulations and boundaries" was added for consistency with the section.

PD *Joint Favorable Subst.*